IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.5167 OF 2005

Om-Satnam Co-operative Housing Society Ltd.
& Anr. : Petitioners

V/s.

The Deputy Registrar, Co-operative
Society & Ors. : Respondents

...

Mr.Bharat Joshi with Mr.Rajesh Singh for the petitioners.
Mr.A.H.Palekar, Asstt. Govt. Pleader, for the respondent nos.1 to 4.

...

CORAM : S.A. BOBDE, J.

August 25, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Palekar, learned Asstt. Govt. Pleader, appears and waives service of rule on behalf of the respondent nos.1 to 4.

Head by consent.

2. The only grievance made by the learned counsel for the petitioners and, in my view, rightly is that the

Divisional Joint Registrar took cognizance of the petitioners' application for stay, but has not passed any order on the said application. The learned Divisional Joint Registrar has not even assigned any reason for not passing any order.

3. In the circumstances, the learned Divisional Joint Registrar is directed to decide the petitioners' application for stay on merits within a period of four weeks from the date the parties appear before the learned Divisional Joint Registrar. The parties are directed to appear before the Divisional Joint REgistrar on 31.8.2005. All contentions of both the parties are kept open.

4. Status quo shall continue till the learned Divisional joint Registrar decides the petitioners' stay application. Thereafter, the order passed by the learned Divisional Joint Registrar shall be in force.

5. The rule is made absolute in the aforesaid terms.

Sd/-

S.A. BOBDE, J.